

**COUNTY OF SAN LUIS OBISPO BOARD OF SUPERVISORS
AGENDA ITEM TRANSMITTAL**

(1) DEPARTMENT Planning and Building	(2) MEETING DATE 7/7/2015	(3) CONTACT/PHONE Holly Phipps, Planner III / (805) 781-1162	
(4) SUBJECT Continued hearing to consider an appeal by Wilton and Helen Webster, and Ron Jolliffe and Collen Runyen of the Planning Department Hearing Officer's approval of Willow Creek NewCo LLC Minor Use Permit (DRC2013-00028) to allow the phased expansion of an existing olive oil/wine processing facility, 20 temporary events with 200 guests, and modifications to ordinance standards to allow adjustments to setbacks, and an increase to the limits of retail sales area and consideration and adoption of the Mitigated Negative Declaration at 8530 Vineyard Drive, west of the community of Templeton, continued from June 2, 2015. District 1.			
(5) RECOMMENDED ACTION It is recommended that the Board adopt and instruct the Chairperson to sign the resolution affirming the decision of the Planning Department Hearing Officer and approve the Willow Creek NewCo LLC Minor Use Permit (DRC2013-00028) to allow for the phased expansion of an existing agricultural processing facility (olive oil and wine) with temporary events and setback modifications at 8530 Vineyard Drive, west of the community of Templeton, based on the findings listed in Exhibit "A" of attachment 1, and the conditions listed in Exhibit "B" of attachment 1 (Board of Supervisors Resolution with Findings and Conditions).			
(6) FUNDING SOURCE(S) Appeal Fees and Dept Budget	(7) CURRENT YEAR FINANCIAL IMPACT \$0.00	(8) ANNUAL FINANCIAL IMPACT \$0.00	(9) BUDGETED? Yes
(10) AGENDA PLACEMENT <input type="checkbox"/> Consent <input type="checkbox"/> Presentation <input checked="" type="checkbox"/> Hearing (Time Est. <u>180</u>) <input type="checkbox"/> Board Business (Time Est. <u> </u>)			
(11) EXECUTED DOCUMENTS <input checked="" type="checkbox"/> Resolutions <input type="checkbox"/> Contracts <input type="checkbox"/> Ordinances <input type="checkbox"/> N/A			
(12) OUTLINE AGREEMENT REQUISITION NUMBER (OAR) N/A		(13) BUDGET ADJUSTMENT REQUIRED? BAR ID Number: <input type="checkbox"/> 4/5 Vote Required <input checked="" type="checkbox"/> N/A	
(14) LOCATION MAP N/A	(15) BUSINESS IMPACT STATEMENT? No	(16) AGENDA ITEM HISTORY <input type="checkbox"/> N/A Date: <u>Continued from June 2, 2015</u>	
(17) ADMINISTRATIVE OFFICE REVIEW Lisa Howe			
(18) SUPERVISOR DISTRICT(S) District 1			

County of San Luis Obispo



TO: Board of Supervisors

FROM: Planning and Building / Holly Phipps, Planner III

VIA: Bill Robeson, Deputy Director, Permitting

DATE: 7/7/2015

SUBJECT: Continued hearing to consider an appeal by Wilton and Helen Webster, and Ron Jolliffe and Collen Runyen of the Planning Department Hearing Officer's approval of Willow Creek NewCo LLC Minor Use Permit (DRC2013-00028) to allow the phased expansion of an existing olive oil/wine processing facility, 20 temporary events with 200 guests, and modifications to ordinance standards to allow adjustments to setbacks, and an increase to the limits of retail sales area and consideration and adoption of the Mitigated Negative Declaration at 8530 Vineyard Drive, west of the community of Templeton, continued from June 2, 2015. District 1.

RECOMMENDATION

It is recommended that the Board adopt and instruct the Chairperson to sign the resolution affirming the decision of the Planning Department Hearing Officer and approve the Willow Creek NewCo LLC Minor Use Permit (DRC2013-00028) to allow for the phased expansion of an existing agricultural processing facility (olive oil and wine) with temporary events and setback modifications at 8530 Vineyard Drive, west of the community of Templeton, based on the findings listed in Exhibit "A" of attachment 1, and the conditions listed in Exhibit "B" of attachment 1 (Board of Supervisors Resolution with Findings and Conditions).

DISCUSSION

History

This Staff Report is a supplement to the previously submitted June 2, 2015 Staff Report. The June 2 full Staff Report with attachments is available online <http://agenda.slocounty.ca.gov/agenda/sanluisobispo/Proposal.html?select=4733> (Item 33). The Staff Report without attachments is included herein as Attachment 5.

This project was scheduled to be heard at the Board of Supervisors June 2, 2015 hearing. At that hearing, the applicant requested to continue this item to July 7, 2015 to allow time to review additional information that was submitted by the appellants, Wilton and Helen Webster, immediately prior to that hearing. Since that date, additional information has continued to be submitted by the appellant and the applicant. The following is a list of items that have been received from the appellants and the applicants, since the completion of the staff report for the June 2, 2015 hearing:

- May 29, 2015 – Supplemental Sound Level Assessment, prepared by David Lord and Response memorandum prepared by LSA Associates, Inc. to declarations from Hanauer, Denardo, and McMorris regarding Case No. 15CVP-0093 - Submitted by Applicant (Attached to June 2, 2015 Board Item 33);
- June 1, 2105 – Supplemental appeal letter plus 4,946 page attachment - Submitted by Appellants and available in the County Clerk-Recorder's Office;
- June 1, 2015 –Additional Noise study, Noise study peer review and Barn peer review - Submitted by Appellants (Attached to June 2, 2015 Board Item 33);

- June 11, 2015 – Revised project description and Traffic analysis (Attachment 6) - Submitted by the Applicant to the Department of Planning and Building;
- June 15, 2015 – Site plan showing location of seepage pits for wastewater system (Attachment 2) - Submitted by the Applicant to the Department of Planning and Building;
- June 17, 2015 – Site plan showing Overflow Parking (Attachment 3) - Submitted by the Applicant to the Department of Planning and Building.

Modifications to Project Description

Since the June 2, 2015 continued hearing, the applicant has refined the project description to respond to issues raised by the appellants. Specifically, the applicant has addressed issues with events and the barn:

- Amplified music will be allowed indoors only.
- Events are shifted from Phase I to Phase II
- The existing barn may be dismantled in Phase I or Phase II

These revisions to the project description are reflected in the revised Conditions of Approval (Attachment 1).

ISSUES

The following outlines each issue raised by the appellants (Websters), since the continued hearing, June 2, 2015.

Issue A – The approval of this permit would change the entire Adelaida area.

The appellants state that 20 temporary events with 200 guests with outdoor amplified music, rehearsal dinners with up to 50 guests, and unlimited events by non-profits would change the Adelaida area. The appellants also state that the 10-year life (sunset clause) is excessive since this is the first in the Adelaida Area.

Staff Response: *Previous land use permits on this site authorized olive processing, wine processing (agriculture processing), and public tasting. A previous land use permit also authorized 6 winery special events with up to 80 guests. Winery special events run in perpetuity with the land. However, the secondary access road was never constructed and the winery special events were never vested.*

This applicant originally requested to have 25 temporary events with up to 200 guests with outdoor amplified music to 10:00 pm as part of this Minor Use Permit. The authorization for temporary events, once the use permit was vested, allowed for a 15-year permit life. At the Planning Department Hearing on April 17, 2015, the project was approved for 20 temporary events with up to 200 guests, for a period of 10 years. Outdoor amplified music was authorized to 9:00 pm.

On October 6, 2009, the Board of Supervisors adopted a resolution interpreting the Temporary Events Ordinance (Section 22.30.610 of the Land Use Ordinance). The Board's interpretation resolved the following:

Multiple events can be authorized with a single Minor Use Permit. *The Board of Supervisors found that a separate Minor Use Permit is not required for each temporary event.*

Minor Use Permits authorizing temporary events must have an end date. *The Board of Supervisors concluded that while a Minor Use Permit can authorize multiple events, the life of the Minor Use Permit shall be defined as part of the permit approval. This means that temporary events may not be authorized in perpetuity through the granting of a single Minor Use Permit.*

The Board of Supervisors did not establish criteria for how long the Minor Use Permit should be in effect, in other words the permits expiration time frame. Instead, this decision to place an expiration date on a permit has been made on a case-by-case basis by the Review Authority.

Since the Board has adopted this interpretation, only 6 other temporary event authorizations have been granted within a permit expiration time frame. These time frames have ranged from 5 to 20 years and number of guests have ranged from 100 to a 1,000 (see Table 1 below).

The chart demonstrates that a 10-year permit expiration time frame is not excessive and 20 events with up to 200 guests is consistent with past decisions. Wineries that have been approved for Special Events run in perpetuity with the land. There is no permit time frame expiration required for wineries with an event program. This permit once vested would allow temporary events to occur for 10 year period.

Table 1:

Project	Lemm DRC2007-00176	Vogt DRC2008-00047	Waddell DRC2008-00110	Edwards DRC2008-00148	Judd DRC2009-00056	Rava DRC2010-00086
History	Residential, agricultural	Residential, agricultural	Residential, agricultural	Non-profit events	Residential, agricultural	Agriculture
Access	Local road	Arterial highway	Principal arterial	Arterial road	Collector road	Arterial road
Zoning	Agriculture	Agriculture	Agriculture	Residential Rural	Agriculture	Agriculture
Events	20, annually	12, annually	18, annually	16, annually (plus non-profit events)	20, annually	25, annually
Guests	Up to 100	Up to 150	Up to 200	Up to 200	Up to 150	250 to 1000
Life	5 years	8 years	18 years	20 years	15 years	20 years

Several wineries within the area also have event programs (see the chart). The requested temporary event program by Pasolivo is not out of character with previously approved winery event programs within the Adelaida area.

Table 2:

Name	Number of Events	Number of Guests	Outdoor Amplified Music beyond 5 pm	Outdoor Amplified Music to end at 5 pm
Pasolivo	20 (Temporary Events)	200	NA	NA
Opolo	25 (Special Events)	250	Yes	
Hammersky	6 (Special Events)	80		Yes
Thacher	6 (Special Events)	80		Yes
Halter	25 (Special Events)	200		Yes
Adelaida Cellars	25 (Special Events)	200		Yes
Brecon (application submitted)	6 (Special Events)	80	Requesting beyond 5 pm	

Industry-wide events are allowed per the Winery Ordinance (Section 22.30.070.i) and not regulated by the Land Use Ordinance (see chart below).

Table 3:

Winery Special Events (Section 22.30.070)	Is this an Event as Defined by Ordinance?
Greater than 50 people	Yes
Advertised	Yes
Less than 50 people	No
Unadvertised	No
Industry-wide events	No, not regulated by Land Use Ordinance

In conclusion, the approval of this project does not change the character of the area because the surrounding area contains several winery facilities with events and amplified music, vineyards, agricultural accessory uses, and single-

family residences. Additionally, since the continuance of the June 2 hearing, the applicant has revised the project description to allow amplified music indoors only. Refer to the Board of Supervisor Staff Report dated June 2, 2015, Issue 2 for additional discussion regarding this issue.

Issue B. The Minor Use Permit and vacation rentals will convert the property zoned Agriculture to commercial in violation of San Luis Obispo zoning laws and the Williamson Act.

The appellants state the Mitigated Negative Declaration fails to adequately analyze the full scope of the project and omitted the remodel of a single family residence (a vacation rental).

Staff Response: *The proposed project is the phased expansion of an existing agricultural facility. The proposed project includes a request for 20 temporary events annually with no more than 200 guests per event and to allow for the processing of off-site olives. There is no vacation rental component of the project. The remodel of an existing residence is a ministerial project and is not subject to a land use permit. Condition of Approval #32 limits the total number of guests on site at 200 people. This 200 person cap includes event attendees, tasting, and all other guests on the site.*

Table 2-2 of the Land Use Ordinance defines Temporary Events as Recreation, Education, & Public Assembly Uses. Temporary Events are an allowed use in the Agriculture land use category, subject to use standards in Section 22.30.610. The proposed project is in conformance with Land Use Ordinance. Per the Land Use Ordinance, the proposed uses are subject to a discretionary Minor Use Permit approval.

The project site is currently under a Williamson Act contract, and is subject to both the Williamson Act and Assembly Bill 1492 (Laird). AB 1492 added Section 51250 to the Government Code. The Williamson Act as amended by AB1492 requires that any development on property subject to a land conservation contract must be incidental to the primary use of the land for agricultural purposes and in compliance with local uniform rules or ordinances. A use is incidental when it is required for or is part of the agricultural use and is valued in line with the expected return of the agriculture on the parcel. Agricultural processing (including olive processing, olive tasting, winery, wine tasting facilities, and farm stand/agricultural retail sales), as well as temporary events, are allowed as "agricultural and compatible uses" by Table 2 of The San Luis Obispo County Rules of Procedure to Implement the Land Conservation Act of 1965. In addition, the land owner will be maintaining substantial acreage in an olive orchard, consistent with the intent of the Williamson Act and the land conservation contract. The primary use on-site is the processing of 100 tons of olives grown on-site and the applicant is proposing to process an additional 100 tons from olives grown off-site.

AB1492 allows the State Department of Conservation to issue fines and penalties for breaches of contract (e.g., excessive construction of structures or facilities not specific to the agricultural use of the land). Section 51250(b) defines a material breach on land subject to a Williamson Act contract as a commercial, industrial or residential building(s) exceeding 2,500 square feet that is **not permissible** under the Williamson Act or contract, local uniform rules or ordinances.

Temporary Events is a compatible use since it is identified as an allowed use with the Land Use Element and is acknowledged in Table 2 of the Rules of Procedure to Implement the California Land Conversation Act of 1965. The proposed project complies with the intent of the Laird Bill, as the primary use is and will remain in agriculture. The project was reviewed for consistency with the Agriculture Element and found to be consistent with the policies in that Element. Similar proposals have been approved that were in the Williamson Act. In conclusion, the County did not violate any Rules of Procedure.

In conclusion, the proposed project does not change the zoning of the site. The project is in conformance the Title 22 of the San Luis Obispo County Code and proposed uses are in conformance with the Agricultural land use zoning. There is no vacation rental component of the project. The remodel of an existing residence is a ministerial project and is not subject to a land use permit.

The expansion of the agriculture processing and the visitor serving uses will utilize existing structures and will include construction of new structure that will be developed within an existing 1.3 acre footprint on a 120 acre parcel. The project will not compromise the long term productive agricultural capability of the contracted land. The project will not impair current or foreseeable agricultural operation on the property. The project will not result in the significant removal of on-site or off-site agricultural uses. The project complies with the intent of the Laird Bill, as the primary use is and will remain in agriculture.

Issue C. Minor Use Permit Fails to Sufficiently Analyze Traffic Issues

The appellants state that the Minor Use Permit fails to sufficiently analyze traffic issues by failing to perform a Road Safety Analysis (RSA), failing to require road widening, and failing to charge a Developer's Fee for Roadway improvements.

Staff Response: *Glenn Marshall, RCE (County Public Works, June 2, 2015) responded to the claims by the appellant including the technical report (Pang Engineers, Inc., May 20, 2015), they provided:.*

Traffic Issue 1:

The trip generation of 80 Peak Hour Trips (pht) provided in the Mitigated Negative Declaration is underestimated. The county should use average general public trip generation factor for vehicle occupancy of 2.0 to 2.25 persons per vehicle.

Response 1:

- *Staff followed Board Resolution 2008-152 that defines the average vehicle occupancy of 2.5 persons per vehicle (0.4 pht per permitted maximum attendance, 200 guests x 0.4 = 80 pht)*

Traffic Issue 2:

Vineyard Drive level of service (LOS) may drop to D based on underestimated trip generation rates.

Response 2:

- *The County adopted policy states that level of service (LOS) C is acceptable for rural roads. Vineyard Drive is estimated to operate at LOS A and anticipated to remain unchanged under existing + project conditions*

Traffic Issue 3:

Per Board Resolution 2008-152, Table 2, the project should improve Vineyard Drive from their driveway a distance of ¼ mile towards the nearest intersection.

Response 3:

- *Event pht are less than 100 ADT, per Resolution improvements are not required*

Traffic Issue 4:

Per Board Resolution 2008-152, Table 3, the project should have prepared a Roadway Safety Analysis (RSA).

Response 4:

- *RSA is required for any project adding pht but only when the existing roadway has a collision rate one standard deviation above average for rural roads;*
- *Vineyard Drive has a collision rate above the county average. Therefore, for 1-100 pht the roadway must be evaluated ½ mile from the entrance towards the nearest intersection;*
- *Public Works did not require an RSA because there was no reported collisions within ½ mile either direction of the entrance, therefore there are no known roadway deficiencies requiring improvement.*

Traffic Issue 5:

The driveways may not meet sight distance standards.

Response 5:

- *Project Condition of Approval #16 requires both the primary and secondary driveways to be constructed to current county standards (B-series) which includes meeting county sight distance standards (A-series.)*

Traffic Issue 6:

The project was not conditioned to pay road improvement fees.

Response 6:

- *The project site is not located within a road improvement fee area.*

In conclusion, Public Works reviewed the proposed project and determined that the project did not trigger either a road

safety analysis (RSA) or any road improvements per Resolution 2008-152.

The County Public Works Department reviewed the proposed project and determined that a RSA was not required for this project. However, the applicant submitted an RSA for the record prepared by Orosz Engineering Group, Inc. The report concluded that the number of "public" trips generated by the project totals 7 pht and 38 daily trips. The project is expected to generate less than 10 public peak hour trips at build-out and as the temporary event public trip total is 80 trips, roadway improvements are not required by the RSA policy. No traffic collision safety issues were identified. Sight distances were evaluated for the existing driveway (ingress) and proposed secondary (egress) to ensure compliance. The report concluded that both driveways will comply with the County sight distance requirements. Finally the report looked at overall project trip generation and determined that the project trip generation is 62 daily trips (ADT) with 11 peak hour trips. Based on the roadway volumes (637 ADT), the additional project traffic of (62 ADT) does not change the existing roadway Level of Service (LOS A).

Based on substantial evidence, including the existing and projected traffic estimates, the resulting acceptable level of service, consultation with Public Works, no significant traffic or safety impacts have been identified and the Mitigated Negative Declaration for the proposed project is adequate.

Water and Wastewater

Issue D. The Mitigated Negative Declaration Fails to Properly Evaluate Water Impacts and Wastewater impacts of Proposed Projects.

The appellants state the County failed to address the water consumption and wastewater impacts of the proposed project.

Staff Response: The domestic wastewater generated by the new development will be controlled through a septic tank and seepage pit disposal system. Based on percolation reports conducted in April 2014 and again in January 2015, a minimum of three seepage pits were recommended by Geosolutions. Final design and inspection of the domestic wastewater system will occur through the building permit process. Portable restrooms will be brought to the site as a supplemental domestic disposal during events per the revised project description (Attachment 2).

Refer to the Board of Supervisor Staff Report dated June 2, 2015, Issue 7 for the information regarding these issues. There is substantial evidence indicating that water resources are adequate to support the proposed project and the Mitigated Negative Declaration is appropriate. Additionally, the proposed project has been conditioned through the Minor Use Permit to receive a waste discharge permit or an exemption for liquid waste disposal (the agricultural process waste) from the Regional Water Quality Control Board (RWQCB). The RWQCB will conduct final review and approval of the agricultural processing wastewater disposal system.

In conclusion, no significant impacts were identified and the project is in compliance with existing regulations and requirements. Therefore potential water and wastewater impacts would be less than significant.

Agricultural Barn

Issue E. The Mitigated Negative Declaration does not appropriately identify the historical significance of the Agricultural Barn.

The appellants have questioned the Historical Assessment and concluded that the barn proposed for demolition is culturally significant and that an Environmental Impact Report is required.

Staff Response: The conclusion in the Mitigated Negative Declaration that the barn does not meet the criteria as a Historic resource is based on substantial evidence, and the determination that the demolition of the barn would not constitute a significant impact is appropriate. Refer to the Board of Supervisor's Staff Report dated June 2, 2015, Issue 6.

Modification / Setbacks

Issue F: The Minor Use Permit requests and the Mitigated Negative Declaration considered ordinance modifications regarding agricultural retail sales space and winery tasting room setback.

The appellants state that the requested modification to ordinance standards and setback modifications are an attempt to alter zoning which is in violation of the San Luis Obispo County Land Use Ordinance.

Staff Response: The requested setbacks and floor area adjustments are allowed under the Land Use Ordinance as detailed above and not an attempt to alter zoning. No violations of the Land Use Ordinance have occurred. The project was approved with modifications based on the findings required by the Land Use Ordinance on April 17, 2015 at a

Vacation Rental

Issue G: The Minor Use Permit and the vacation rental violates CEQA

The appellants state that the Minor Use Permit and vacation rental approved through the building permit violates CEQA because it is “piecemealing” the complete project.

Staff Response: *As previously discussed, the project does not include a request for a vacation rental. The remodel of an existing residence is a ministerial project and is not subject to a land use permit.*

The applicant has never submitted an application for a vacation rental. To ensure that the existing residence is not converted into a vacation rental, Staff has conditioned the project to preclude any future vacation rentals on the project site.

In conclusion, the Minor Use Permit looked at the project as a whole and “piecemealing” has not occurred.

Other Concerns

Issue H. What are the full impacts of the project (the Minor Use Permit vacation rentals) on biological resources?

The appellants question the impacts of biological concerns regarding a vacation rental and the impact of importing of olives from off-site to on-site.

Staff Comments: *There is no vacation rental component of the project. Refer to the Board of Supervisor's Staff Report dated June 2, 2015, Issue 9c for discussion regarding the importing of off-site olives.*

Issue I. The Fair Argument Standard is met and an EIR shall be required.

The appellants state there is substantial evidence of significant impacts of the proposed project and that a fair argument can be made and that an EIR shall be required.

Staff Comments: *The revised project does not change the conclusion of the Mitigated Negative Declaration. There is evidence indicating that the proposed project will have less than significant impacts on the environment and the Mitigated Negative Declaration is appropriate. The project's Conditions of Approval have been modified to reflect the revised project.*

Issue J. Noise

The project will result in Noise Impacts in Violation of County Codes

The appellants state the independent noise study that was completed indicates noise in violation of County Codes.

Staff Comments: *On June 10, 2015, the applicant submitted a revised project description. The revised project no longer includes a request for outdoor amplified music. Any amplified music will be limited to the inside of the Replacement Barn. The results of both the Dubbink and Lord reports verify that amplified music inside the barn will comply with the Noise Standards at all property lines with the barn doors closed on the south side (David Dubbink, March 25, 2011, David Dubbink, July, 5, 2013 and David Lord, May 28, 2015). There is evidence indicating that noise impacts will have less than a significant impact and the Mitigated Negative Declaration is still appropriate. The project's Conditions of Approval have been modified to reflect this change.*

Issue K. Barn

The LSA Archaeological report and memorandum is legally inadequate.

The appellants state the barn has the potential to be eligible under California Register of Historical Resources.

Staff Comments: *The conclusion in Mitigated Negative Declaration that the barn does not meet the criteria as a historic resource is based on substantial evidence, and the demolition of the barn would not constitute a significant impact is appropriate. No substantial evidence has been submitted. Refer to Board of Supervisor Staff Report, June 2 2015, Issue 6 for additional discussion.*

Issue L. Reply Brief in 15CVP-0093

The appellants state that if the Board of Supervisors approves the project on June 2, 2015, Petitioners are filing a second suit and seeking a temporary restraining order (TRO) to enjoin the entire project because the County standards would be violated and the Mitigated Negative Declaration is not legally adequate.

Staff Comments: *The Board of Supervisors will make a decision on this appeal based on the information in the staff reports, the facts in the record, the adequacy of the Mitigated Negative Declaration and the testimony received at the hearing. Any claims of future legal actions will not have an effect on the decision making process.*

Issue M. Event Parking

The appellants state that there is a shortage of parking.

Staff Comments: *The Temporary Event Ordinance, Section 22.30.610 of the County Land Use Ordinance states events shall be required to provide two unobstructed access points from the event site to a publicly maintained road and event parking shall be in an open area with a slope of 10 percent or less, at a ratio of 400 square feet per car, on a lot free of combustible material. Event parking is not required to be improved or paved.*

The applicant submitted (on June 17, 2015) an Overflow Parking Site plan (see Attachment 3) that demonstrates there is ample space located on-site for parking. Upon building permit submittal, the project must meet these parking requirements (Title 22, Section 22.18.030). There is no evidence that the site cannot accommodate the required parking for the proposed new uses.

Corrections to the June 2, 2015 Board of Supervisor Staff Report

Staff would like to make the following corrections to the June 2 Staff Report:

Page 4: Paragraph 1:

The approval of 20 annual temporary events is limited to a period of ~~45~~ 10 years.

Page 4, Paragraph 5:

The ~~45~~ 10 year time limit for temporary events is appropriate and not excessive.

Page 7, Paragraph 2:

- Maximum level (Lmax): ~~65~~ 70 dB
- Hourly Equivalent (Leq): ~~45~~ 50 dB

OTHER AGENCY INVOLVEMENT/IMPACT

The project was referred to: Public Works, Environmental Health, Agricultural Commissioner, CAL FIRE, Regional Water Quality Control Board, Building Department, and Templeton Area Advisory Council.

FINANCIAL CONSIDERATIONS

This appeal was processed using appeal fees collected and Planning Department Budget.

RESULTS

Affirming the Planning Department's decision by denying the appeal will mean the Mitigated Negative Declaration and the Minor Use Permit (DRC2013-00028) are approved. Upholding the appeal would mean the Planning Department's approval of the Mitigated Negative Declaration and the Minor Use Permit (DRC2013-00028) are denied. This is consistent

with the County goal of providing safe, healthy and well governed community.
Staff report prepared by Holly Phipps and approved by Bill Robeson, Deputy Director-Permitting

ATTACHMENTS

1. Attachment 1 – Resolution with Revised Findings and Conditions
2. Attachment 2 – Wastewater Seepage Site Plan
3. Attachment 3 – Overflow Parking Site Plan
4. Attachment 4 – Email from Mr. Dayton
5. Attachment 5 – June 2, 2015, BOS Staff Report Without Attachments
6. Attachment 6 – Revised Project Description and Traffic Analysis